**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL**

**Writ Petition No. 85 of 2005 (S/B)**

1. Vinod Kumar Mishra,
   s/o Mahasukh Mishra,
   Extension Training Officer,
   Extension Training Centre, Rudrapur,
   Udham Singh Nagar.
2. Hardeo Singh,
   S/o Bahadur Singh,
   Extension Training Officer,
   Extension Training Centre, Rudrapur,
   Udham Singh Nagar, Uttaranchal. ……. Petitioners.

Versus

1. The Secretary, Rural Development Department,
   Uttaranchal Govt., Dehradun.
2. Commissioner, Rural Development,
   Pauri, Uttaranchal.
3. Deputy Commissioner (Administrative),
   Rural Development, Pauri, Uttaranchal.
4. Director, State Institute of Rural Development,
   Bakshi Ka Talab, Lucknow, U.P.
5. Secretary, Rural Development Department,
   U.P. Government, U.P.
6. U.P. Public Service Commissioner,
   Kasturba Gandhi Marg, Allahabad. … Respondents.

Mr. S.S. Yadav, learned counsel for the petitioners.
Mr. J.P. Joshi, Addl. Chief Standing Counsel for the State of Uttaranchal.

**Coram: Hon. Cyriac Joseph, C.J.**
**Hon. M.M. Ghildiyal, J.**

**ORAL JUDGMENT: (Per Hon'ble the Chief Justice)**

1. The petitioners are Extension Training Officers at the Extension Training Centre, Rudrapur in Udham Singh Nagar district. They are aggrieved by Annexure 10 Final Seniority List of Extension Training Officers to the extent one Ganesh Singh Khati has been ranked above the petitioners at Serial No. 5 in the final seniority list. According to the petitioners, Shri Ganesh Singh Khati is junior to them and he should have been ranked below the petitioners in the seniority list. It is also stated that the final seniority list was prepared in violation of Annexure 13 Government Order dated 15.09.2004.

2. Though the petitioners have not included a prayer for quashing Annexure 10 Final Seniority List and have not impleaded Shri Ganesh Singh Khati as a respondent in the writ petition, we are of the view that a direction can be issued to the second respondent to consider and dispose of Annexure 11 Representations dated 09.05.2005 submitted by the petitioners against the final seniority list. However, before taking a final decision on Annexure 11 Representations, the second respondent will have to issue notice to Shri Ganesh Singh Khati and consider his representation also.

3. Hence, the writ petition is disposed of with a direction to the second respondent to consider and dispose of Annexure 11 Representations dated 09.05.2005 of the petitioners as expeditiously as possible after issuing notice to Shri Ganesh Singh Khati and considering his representation also. A final decision in the matter shall be taken within a period of three months from the date of receipt of a copy of this judgment.

4. The petitioners may produce a copy of this judgment before the second respondent for information and compliance.

**(M.M. Ghildiyal, J.)** **(Cyriac Joseph, C.J.)**
**24.05.2005** **24.05.2005**

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